

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ADVANCED ENERGY INDUSTRIES, INC.,

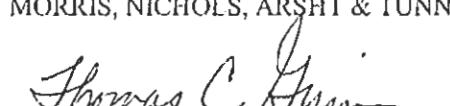
Plaintiff, ) C.A. No. 04-848 (JJF)  
v. )  
MKS INSTRUMENTS, INC. )  
Defendant. )

**STIPULATION OF DISMISSAL WITHOUT PREJUDICE**

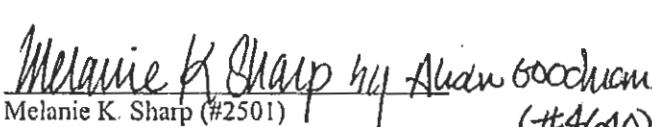
Pursuant to Fed. R. Civ. P. 41(a)(1)(ii), Advanced Energy Industries, Inc. and MKS Instruments, Inc. hereby jointly dismiss without prejudice all claims and counterclaims asserted in this action. Each party will bear its own costs.

Dated: March 8, 2005

MORRIS, NICHOLS, ARSHT & TUNNELL

  
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Attorneys for Defendant MKS Instruments, Inc.

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SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

The Honorable Joseph J. Farnan, Jr.

**CERTIFICATE OF SERVICE**

I hereby certify that on March 9, 2005, I electronically filed a true and correct copy of Stipulation of Dismissal Without Prejudice with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

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